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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION
21

22 HEROES CLUB, INC., a California Corporation,
23 Plaintiff,
24 v.
25 UNITED PARCEL SERVICE, INC., and DOES
1-50,
26 Defendants.
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Case No. 07-4422 JCS

**STIPULATION AND
[PROPOSED] ORDER
REGARDING BRIEFING
SCHEDULE**

1 WHEREAS, Defendant United Parcel Service, Inc. filed a Motion for Judgment on the
2 Pleadings, which was rescheduled for hearing by the Court's November 14, 2007 Order to
3 **February 8, 2008** at 9:30 a.m.;

4 WHEREAS, by Order dated November 14, 2007, the Court issued a briefing schedule
5 requiring the opposition to be filed by November 30, 2007, and reply brief to be filed by
6 December 14, 2007, and Plaintiff filed its opposition on November 30, 2007, and

7 WHEREAS, on December 7, 2007, pursuant to stipulation, the Court extended the time
8 for UPS to file a reply brief to December 31, 2007, to allow the parties an opportunity to discuss
9 potential resolution of the plaintiff's complaint; and

10 WHEREAS, to allow additional time to discuss resolution of the matter, the parties have
11 agreed, subject to Court approval, to further extend the briefing schedule to allow Defendant to
12 file its reply papers on or before January 11, 2008;

13 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
14 record, to request that the Court order that **Defendant's reply brief shall be filed on or before**
15 **January 11, 2008.**

16 IT IS SO STIPULATED.

17 Dated: December 20, 2007

18 PAUL T. FRIEDMAN
19 ANNEMARIE C. O'SHEA
20 SARA MAHDAVI
21 MORRISON & FOERSTER LLP

22 By: /s/ Paul T. Friedman
23 Paul T. Friedman

24 Attorneys for Defendant
25 UNITED PARCEL SERVICE, INC.
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27
28

1 Dated: December 20, 2007

JAMES C. STURDEVANT
MARK T. JOHNSON
ALEXUIS MARKWALDER
THE STURDEVANT LAW FIRM

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9 By: /s/ Mark T. Johnson
Mark T. Johnson

10 Attorneys for Plaintiff
11 HEROES CLUB, INC.

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15 I, Paul T. Friedman, am the ECF user whose ID and password are being used to file this
16 Stipulation. In compliance with General Order 45, I hereby attest that Mark T. Johnson, counsel
17 for Plaintiff, has concurred in this filing.

18 Dated: December 20, 2007

19
20 By: /s/ Paul T. Friedman
Paul T. Friedman

21 Attorneys for Defendant
22 UNITED PARCEL SERVICE, INC.

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO
ORDERED.

DATED: _____, 2007

Honorable Joseph C. Spero
United States District Court